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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

BYRON JOHNSON,

No. C 10-5491 RS (PR)

Plaintiff,

ORDER OF DISMISSAL

v.

OFFICER SHALLBARGER, et al.,

Defendants.

/

This is a federal civil rights action filed pursuant to 42 U.S.C. § 1983 by a *pro se* state prisoner. Plaintiff was granted 30 days to (1) pay the filing fee of \$350.00, or (2) file an application to proceed *in forma pauperis* (“IFP”), and he was informed that if he failed to do either, his action would be dismissed. More than 30 days have passed, and plaintiff has not paid the filing fee or filed an IFP application. Accordingly, the action is DISMISSED without prejudice. The Clerk shall enter judgment in favor of defendants, and close the file.

IT IS SO ORDERED.

DATED: January 11, 2011


RICHARD SEEBORG
United States District Judge